

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ALFONSO BRUCE,)	
)	
Plaintiff,)	
)	
vs.)	
)	
RICKY PERRY, Individually and)	
In His Official Capacity as Police)	NO: 03-558-DRH
Officer for the City of East St. Louis,)	
et al)	
)	
Defendants.)	

ORDER

By order dated June 28, 2005 (**Doc. 26**), the Court granted plaintiff's motion to compel the defendant City of East St. Louis, Illinois, to respond to plaintiff's Third Supplemental Interrogatory and all defendants to respond to plaintiff's Third Request for Production of Documents (**Doc. 25**). In accordance with Federal Rule of Civil Procedure 37(a)(4)(A), defendants were ordered to show cause, in writing, why plaintiff should not be awarded the expenses associated with having to file a motion to compel (**Doc. 26**). Defendants never complied with the Court's directive.

Rather than requiring defendants to show cause why they should also not be found in contempt of Court, the defendants' silence will be interpreted as a concession that plaintiff should be awarded the costs associated with filing his motion to compel.

IT IS HEREBY ORDERED that, in accordance with Federal Rule of Civil Procedure 37, defendants shall pay plaintiff the costs associated with plaintiff filing his motion to compel.

IT IS FURTHER ORDERED that on or before **January 13, 2006**, plaintiff shall file a bill of costs. On or before January 31, 2006, defendants shall either file an objection to the calculation

of the bill of costs, or file a notice that the bill has been paid.

IT IS SO ORDERED.

DATED: December 28, 2005

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE